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January 23, 2017

Magistrate Judge Roanne L. Mann
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Pioneer Growers Cooperative v. Elite Farms Inc. et al.; 16-CV-3654

Honorable Magistrate Judge Mann:

This office represents defendants Stay Fresh Distributors Inc. and Jason A. Canals in the referenced matter. I write on behalf of all parties to jointly request a thirty day extension of the discovery schedule for the reasons that follow. This is the parties' second request for an extension of the discovery schedule.

Written discovery has been exchanged amongst the parties, and the parties have agreed to a deposition schedule which has all parties being deposed between February 28 and March 2, 2017. The parties have selected an arbitrator and agreed upon an arbitration date of March 16, 2017. Given the attorneys' respective schedules and the fact that several witnesses need to travel to NY from Florida for the depositions, we are not able to agree to deposition dates within the present discovery schedule. We do not believe that any prejudice will result from the requested extension.

Therefore, we respectfully request that the Court extend discovery by thirty days, and extend all related deadlines accordingly. Thank you for the courtesies extended herein.

Respectfully submitted,

DEVITT SPELLMAN BARRETT LLP

/S/
Kelly E. Wright (KW 3904)

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